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Application No. (if known): 10/600,584

Attorney Docket No.: 55670DIV(45858)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/600,584-Conf. #5497
Filing Date	June 19, 2003
First Named Inventor	Robert W. Blakesley
Art Unit	1631
Examiner Name	J. S. Brusca
Total Number of Pages in This Submission	55670DIV(45858)

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Kathryn A. Piffat, Ph.D.		
Date	April 12, 2006	Reg. No.	34,901



Docket No.: 55670DIV(45858)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert W. Blakesley et al.

Application No.: 10/600,584

Confirmation No.: 5497

Filed: June 19, 2003

Art Unit: 1631

For: ARCHIVING OF VECTORS

Examiner: J. S. Brusca

**SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Previously in response to the restriction requirement set forth in the Office Action mailed December 16, 2005, applicant provisionally elected claims 26-28 (Group I) for continued examination, with traverse, via filing of the Response to Restriction Requirement and Supplemental Preliminary Amendment on March 14, 2006.

The Examiner has required a species election among the species of sample for Group I from among the samples listed in claim 28, which currently reads as follows:

28 (original). The method of claim 26, wherein said sample is selected from the group consisting of host cells, viruses, extracts of host cells or viruses, lysates of host cells or viruses, host cell or virus debri, and combinations thereof.

Applicants hereby elect "host cells" as the elected species, but with traverse. Applicants respectfully disagree that a species election should be required in this case, in

view of the fact that the claim includes "combinations thereof" as a possibility, as it is envisioned that biological samples often include a mixture of elements. Moreover, the additional searching burden posed by the present cased should be minimal.

Prior to an allowance on the merits, Applicants expect that the Office will conduct a thorough search of the elected claims including, but not limited to, the invention encompassed by the species election.

It is believed that no extension of time is required. If, however, a petition for an extension of time is required, then the Examiner is requested to treat this as a conditional petition for an extension of time and the Commissioner is hereby authorized to charge our deposit account no. 04-1105 for the appropriate fee. Although it is not believed that any additional fee is required to consider this submission, the Commissioner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Dated: April 12, 2006

Respectfully submitted,

By Kathryn A. Piffat, Ph.D.  
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